

## United States Patent and Trademark Office

イン

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/778,659	02/09/2001	Jonathan O. Browne	2676-101	4375	
6449	7590 08/30/200	i.	EXAM	EXAMINER	
	L, FIGG, ERNST &	NGUYEN, BI	NGUYEN, BINH AN DUC		
1425 K STRI SUITE 800	EET, N.W.		ART UNIT	PAPER NUMBER	
WASHINGTON, DC 20005			3713		

DATE MAILED: 08/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action    Carrage   Brown   Art Unit   Bint-han D. Nguyen   3713   374   375   37		Application No.	Applicant(s)					
Examiner    Examiner   Art Unit   Binh-An D. Nguyen   3713	Advisory Action	09/778,659	BROWNE ET AL.	$\mathcal{U}$				
THE REPLY FILED 16 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either. (1) a timely filed damendment which places the application in condition for allowance; (2) a timely filed Notice of Appeals (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.  PERIOD FOR REPLY [check either a) or bi]  a) The period for reply expires 2 months from the making date of the final rejection.  The period for reply expires 2 months from the making date of the final rejection. (2) the date set forth in the final rejection, whichever is later. In no evert, nower, with the statioty period for reply expires on: (1) the making date of this Advisory Action. or (2) the date set forth in the final rejection, whichever is later. In no evert, nower, with the statioty period for reply expires on: (1) the making date of this Advisory Action. or (2) the date set forth in the final rejection, whichever is later. In no evert, nower, with the statioty period for reply expires on: (1) the making date of the final rejection.  ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP Extensions of time may be obtained under 37 CFR 1.136(a) and the appropriate extension is eurobrated to the making of the replace of the shorthest actual port and or a period programs and experiments of the shorthest actual port and or a period programs are described from 1 signal and the period or servel programs and in a final differed across the under 37 CFR 1.136(a) and the appropriate extension is under 37 CFR 1.136(a) and the appropriate extension is eurobrated.  1 A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), to avoid dismissal of the appeal.  2 The proposed amendment(s) will not be entered because:	Advisory Action	Examiner	Art Unit					
THE REPLY FILED 16 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.13 may only be either. (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee), or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.    PERIOD FOR REPLY   Check either a) or b)		Binh-An D. Nguyen	3713					
Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either. (1) a timely field emendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.  PERIOD FOR REPLY [check either a) or b)  The period for reply expires 2 months from the mailing date of the filed rejection.  PERIOD FOR REPLY [check either a) or b)  The period for reply expires 0.113 the mailing date of the filed rejection.  NIX CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS for the mailing date of the final rejection, only check THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS for the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS for THE FINAL REJECTION. See MPEP Leave been filed is the date for purposes of determining the period of determining the replication of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate deterions fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the firal Office action, or (2) as set forth in (5) above, if forched. Any reply received by the Office alter than three months after the mailing date of the final rejection, even if timely filed, may reduce any search set the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.79(b).  The proposed amendment(s) will not be entered because:  (a) they raise new issues that would require further consideration and/or search (see NOTE below);  (b) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) they present additional claims without canceli	The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence addi	ress				
a) The period for reply expires 2 months from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will be statutory period for reply expire later than SJX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TOOR many be obtained under 37 CFR 1.13(s). The date on which the petition under 37 CFR 1.13(s) and the appropriate extension fee have been filled is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee when the filled is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filled, may reduce any earmed patent term adjustment. See 37 CFR 1.704(b).  1. A Notice of Appeal was filled on Appellant's Brief must be filled within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2. The proposed amendment(s) will not be entered because:  (a) they raise new issues that would require further consideration and/or search (see NOTE below);  (b) they raise new issues that would require further consideration and/or search (see NOTE below);  (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) they are not deemed to place the application in better form for appeal by materially rejected claims.  NOTE:  NOTE:  1. New	Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued							
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, which were with the statutory period for reply expire later han SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of dertension and the corresponding amount of the fee. The appropriate extension fee when the filed the date for purposes of determining the period of dertension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.196(a) and so advise the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2. The proposed amendment(s) will not be entered because:  (a) they raise the issue of new matter (see Note below);  (b) they raise the issue of new matter (see Note below);  (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE:	PERIOD FOR RE	PLY [check either a) or b)]						
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the malling date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2. The proposed amendment(s) will not be entered because:  (a) they raise new issues that would require further consideration and/or search (see NOTE below);  (b) they raise the issue of new matter (see Note below);  (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE:  3. Applicant's reply has overcome the following rejection(s):  4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  5. The a) affidavit, b) exhibit, or c) are equest for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.  6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. For purposes of Appeal, the proposed amendment(s) a) Will not be entered or b) will be entered and an expl	b) The period for reply expires on: (1) the mailing date of this Adv event, however, will the statutory period for reply expire later the ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS	isory Action, or (2) the date set forth in than SIX MONTHS from the mailing date of	of the final rejection.					
37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2.	Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any							
(a)								
(b) ☐ they raise the issue of new matter (see Note below); (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE:  3. ☐ Applicant's reply has overcome the following rejection(s):  4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.  6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) objected to:  Claim(s) withdrawn from consideration: 15-30  8. ☐ The drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner.  9. ☐ Note the attached Information Disclosure Statement(s) ( PTO-1449) Paper No(s).  A. L. WELLINGTON	2. The proposed amendment(s) will not be entered be	ecause:						
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE:  3. ☐ Applicant's reply has overcome the following rejection(s):  4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.  6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) withdrawn from consideration: 15-30.  8. ☐ The drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner.  9. ☐ Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s) A. L. WELLINGTON	(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);							
issues for appeal; and/or  (d)	(b) ☐ they raise the issue of new matter (see Note below);							
NOTE:  3.								
<ul> <li>3. □ Applicant's reply has overcome the following rejection(s):</li> <li>4. □ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).</li> <li>5. □ The a) □ affidavit, b) □ exhibit, or c) □ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.</li> <li>6. □ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.</li> <li>7. □ For purposes of Appeal, the proposed amendment(s) a) □ will not be entered or b) □ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) objected to:  Claim(s) withdrawn from consideration: 15-30.  8. □ The drawing correction filed on is a) □ approved or b) □ disapproved by the Examiner.  9. □ Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).  A. L. WELLINGTON  SUPERVISORY PATENT EXAMINER</li> </ul>	$\cdot \cdot \cdot = \cdot \cdot$	ing a corresponding number of	finally rejected clain	ns.				
<ul> <li>4. □ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).</li> <li>5. □ The a) □ affidavit, b) □ exhibit, or c) □ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.</li> <li>6. □ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.</li> <li>7. □ For purposes of Appeal, the proposed amendment(s) a) □ will not be entered or b) □ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-14.  Claim(s) withdrawn from consideration: 15-30.  8. □ The drawing correction filed on is a) □ approved or b) □ disapproved by the Examiner.  9. □ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)</li></ul>	_	etion(s):						
application in condition for allowance because: See Continuation Sheet.  6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. ☑ For purposes of Appeal, the proposed amendment(s) a) ☑ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-14.  Claim(s) withdrawn from consideration: 15-30.  8. ☐ The drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner.  9. ☐ Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)  A. L. WELLINGTON SUPERVISORY PATENT EXAMINER	4. Newly proposed or amended claim(s) would	· · · —	separate, timely filed	i amendment				
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. ☑ For purposes of Appeal, the proposed amendment(s) a) ☑ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-14.  Claim(s) withdrawn from consideration: 15-30.  8. ☐ The drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner.  9. ☐ Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)			sidered but does NC	T place the				
<ul> <li>7.   For purposes of Appeal, the proposed amendment(s) a)  will not be entered or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-14.  Claim(s) withdrawn from consideration: 15-30.  8.   The drawing correction filed on is a)  approved or b)  disapproved by the Examiner.  9.   Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s) A. L. WELLINGTON SUPERVISORY PATENT EXAMINER</li> </ul>	6. The affidavit or exhibit will NOT be considered bec		to issues which we	re newly				
The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-14.  Claim(s) withdrawn from consideration: 15-30.  8.  The drawing correction filed on is a) approved or b) disapproved by the Examiner.  9.  Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s) A. L. WELLINGTON SUPERVISORY PATENT EXAMINER	7.⊠ For purposes of Appeal, the proposed amendment			and an				
Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-14. Claim(s) withdrawn from consideration: 15-30.  8.  The drawing correction filed on is a) approved or b) disapproved by the Examiner.  9.  Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)  A. L. WELLINGTON SUPERVISORY PATENT EXAMINER		•						
Claim(s) objected to: Claim(s) rejected: 1-14. Claim(s) withdrawn from consideration: 15-30.  8. The drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s) A. L. WELLINGTON SUPERVISORY PATENT EXAMINER								
Claim(s) rejected: 1-14.  Claim(s) withdrawn from consideration: 15-30.  8. The drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).  A. L. WELLINGTON SUPERVISORY PATENT EXAMINER								
Claim(s) withdrawn from consideration: <u>15-30</u> .  8. The drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).  A. L. WELLINGTON SUPERVISORY PATENT EXAMINER	· · · · · · · · · · · · · · · · · · ·							
8. The drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).  A. L. WELLINGTON SUPERVISORY PATENT EXAMINER								
10. ☐ Other: A. L. WELLINGTON SUPERVISORY PATENT EXAMINER		roved or b)  disapproved by	the Examiner.					
10. ☐ Other: A. L. WELLINGTON SUPERVISORY PATENT EXAMINER	9. ☐ Note the attached Information Disclosure Stateme	nt(s)( PTO-1449) Paper No(s).	4: 0 -	<b>~</b> 0				
	_	SUPE	A. L. WELLINGTON RVISORY PATENT EXA					

Continuation of 5. does NOT place the application in condition for allowance because: The Irwin, Jr et al. and Pieterse et al. references and reasons of obviousness set forth in the Final Rejection sent April 16, 2004 do teach towards limitations claimed by the applicant. Further, the withdrawal from consideration of claims 15-30, as set forth in the Final Rejection, stands since the claims presented different gaming system as originally presented.